

RULE NO. 9
REMOVAL FROM SMALL CLAIMS DEPARTMENT

A. Request for Removal. A party in an action which has been commenced in the Small Claims Department may remove the action to the District Court by filing a Request for Removal. The request may be filed in a form substantially similar to the form provided in these rules. In the event such a Request is filed, the court may remove the action from the Small Claims Department to the District Court.

B. Upon filing a request for removal in accordance with Section A of this rule, a copy of the Request shall be mailed by first class mail to the opposing party or his attorney by first class mail. Within five (5) days of receipt of the Request for Removal. The Response may be filed in a form substantially similar to the form provided in these rules. If a Response is filed, a copy should be mailed by first class mail to the party who filed the Request for Removal.

C. If a defendant in an action which has been commenced in the Small Claims Department alleges a counterclaim in excess of the jurisdictional amount for the Small Claims Department, the court shall remove the action to District Court.

D. In the event the action is removed to District Court from the Small Claims Department in accordance with Section A or Section B of this rule, the first party filing the Request for Removal shall pay the District Court filing fee.

(Effective Date: 01/07/87)

UNIFORM DISTRICT COURT FORM NO. 9A
THURSTON COUNTY DISTRICT COURT
THURSTON COUNTY, STATE OF WASHINGTON

)	
)	
Plaintiff,)	NO.
)	
V.)	REQUEST FOR REMOVAL TO
)	DISTRICT COURT
)	
Defendant.)	

Comes now the plaintiff/defendant (strike one) in the above captioned proceeding and, pursuant to Local Rule _____, hereby requests that this action be removed from the Small Claims Department to District Court. I certify that I have mailed a copy of this form to the plaintiff/defendant (strike one) by first class mail, addressed as follows:

DATED: _____

(Signature)

(Print Name)

UNIFORM DISTRICT COURT FORM NO. 9B
THURSTON COUNTY DISTRICT COURT
THURSTON COUNTY, STATE OF WASHINGTON

)	
)	
Plaintiff,)	NO.
)	

V.) RESPONSE TO REQUEST
) FOR REMOVAL
)
Defendant.)

Comes now the plaintiff/defendant (strike one) and, pursuant to Local Rule _____, hereby files his Response to Request for Removal of this action from the Small Claims Department to the District Court.

1. The plaintiff/defendant (strike one) filed a Request for Removal on _____, _____, which I received on _____, _____.

2. I oppose this request because: _____

DATED: _____

Signature

Print Name

UNIFORM DISTRICT COURT FORM NO. 9C
THURSTON COUNTY DISTRICT COURT
THURSTON COUNTY, STATE OF WASHINGTON

)
)
Plaintiff,) NO.
)
V.) ORDER REMOVING ACTION
) FROM SMALL CLAIMS COURT
)
Defendant.)

This court having reviewed a motion for removal of an action from Small Claims Court to the jurisdiction of the District Court pursuant to CRLJ _____ and _____, and the court having determined that the defendant has a right to remove said cause upon the filing of fees thereof, now, therefore, it is ORDERED, ADJUDGED AND DECREED that the small claims action filed under Number _____ is hereby removed from the jurisdiction of the Small Claims Court to the jurisdiction of the District Court. The docket number _____ shall remain the same _____ be changed to _____. All further pleadings should reflect the corrected docket number. The plaintiff is directed to comply with all rules of pleading and practice applicable to District Court.
DATED this _____ day of _____, _____.

J U D G E

Presented by:

